

ENVIRONMENTAL CHECKLIST

MEPA/NEPA

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed action.

Development _____

Renovation _____

Maintenance _____

Land Acquisition ___(disposal)_____

Equipment Acquisition _____

Other (Describe) Transfer of property currently owned by the state to the City of Fort Benton

2. If appropriate, agency responsible for the proposed action.
Fish, Wildlife & Parks

3. Name, address phone number and E-mail address of project sponsor.
Doug Monger, Parks Division Administrator
1420 E Sixth Avenue
PO Box 200701
Helena MT 59620
(406) 444-3750

4. Name of project.

Montana Agricultural Center and Museum Transfer to City of Fort Benton

5. If applicable:

Estimated construction/commencement date
December 30, 2005

Estimated completion date
December 30, 2005

Current status of project design (% complete)

6. Location affected by proposed action (county, range and township).
Fort Benton Montana in T24N, R08E, Sec. 2, Chouteau County
7. Project size: estimate the numbers of acres that would be directly affected that are currently:
- (a) Developed:
residential__ acres
industrial..... 3.69 acres
 - (b) Open Space/Woodlands/
Recreation__ acres
 - (c) Wetlands/Riparian
Areas__ acres
 - (d) Floodplain.....__ acres
 - (e) Productive:
irrigated cropland__ acres
dry cropland.....__ acres
forestry__ acres
rangeland__ acres
other__ acres
8. Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.
9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action.

In 1985, the Montana Legislature passed a statute and an appropriation for \$250,000 for Fish, Wildlife & Parks to acquire property in Fort Benton for the Montana Agricultural Center and Museum of the Northern Great Plains providing there would be no additional costs to the state. This property included about 3.69 acres and a vacant industrial metal building. Since 1986, the property has been leased to and operated by either the City of Fort Benton or the River and Plains Society, a non-profit organization for the purpose of operating a museum.

Today, the Agricultural Center is an incredible asset to the people of this state and our guests; it is the result of many local benefactors and volunteers who have worked tirelessly to develop a first class facility. All of the artifacts and displays within the museum were created, developed and are owned by the River and Plains Society. The ownership by the state at the site continues to only be the underlying real estate and the original metal building.

The State of Montana believes that transfer of the property to a qualified local government entity such as the City of Fort Benton will streamline management of the facility. There is no reason for the state to continue owning this property when local citizens have so graciously built and managed it for almost twenty years. The state's role of providing for the initial acquisition of the property has been fulfilled.

The Montana Legislature passed HB 564 in 2005 that allows FWP to transfer ownership of the facility to a qualified local government at less than fair market value as long as the property continues to be operated for an agricultural museum. HB 564 allows the state to reclaim ownership of the property if for some reason the property ceases to be used as an agricultural center and museum.

THE PROPOSED ACTION is to transfer fee title ownership of the Montana Agricultural Center and Museum in Fort Benton to the City of Fort Benton for less than fair market value.

THE BENEFITS of this action will put control of this local facility in the hands of local people. The transfer will conceivably allow the City of Fort Benton or the River and Plains Society to be able to insure the premises for less cost than they now incur with the property in state ownership.

10. Description and analysis of reasonable alternatives (including the required no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a comparison of the alternatives with the proposed action/preferred alternative:

NO ACTION ALTERNATIVE: Under this alternative ownership of the site would remain with FWP. FWP would continue to lease the site to the River and Plains Society (RPS) and the River and Plains society would incur all costs associated with the property including the insurance (\$3,460/year) and the Special Improvement District costs (\$1,360/year). This alternative is the current situation. Because the site is state property, it is being insured as part of the state's general policy for loss and liability. The RPS feels that if the property were owned by the City of Fort Benton or by RPS that the insurance premiums and SID's could be lowered. If no action were taken the current site management agreements would remain in place. These agreements have worked adequately. This alternative is not the preferred alternative because it does not address the underlying desire of the legislature to transfer the property to a local entity, nor does it address the concerns of the River and Plains Society that must reimburse the state for any costs associated with the property.

ALTERNATIVE #1, PROPOSED ALTERNATIVE: Under this alternative FWP would transfer fee title ownership of the site to the City of Fort Benton as allowed in HB 564. Ownership would only be transferred upon approval by the FWP Commission, the State Board of Land Commissioners, and after FWP has received full and complete payment/reimbursement for all tax and SID assessments and insurance payments from the River and Plains Society. Title transfer will occur at no cost to the City of Fort Benton. A reversionary clause will be included in the title ensuring that the property always be used to operate an agricultural museum. This is the preferred alternative because it follows the legislative intent to transfer the property to a local entity and it will help the River and Plains Society reduce their operational costs.

ALTERNATIVE #2: Title transfer at fair market value. Under this alternative FWP would transfer the property to the City of Fort Benton but will charge the City full fair market value for the property.

This alternative would require that the land and building be appraised. This alternative is not the preferred alternative because it is unlikely that the City of Fort Benton could afford to purchase the property at fair market value. Additionally, Legislative intent was clear in HB 564 that FWP make the property transfer at less than fair market value.

11. Listing of each local, state or federal agency that has overlapping or additional jurisdiction.

(a) Permits		
Agency Name:	Permit:	Date Filed:
N/A		

(b) Funding	
Agency Name:	Funding Amount:
N/A	

(c) Other Overlapping or Additional Jurisdictional Responsibilities	
Agency Name:	Type of Responsibility:
N/A	

12. List of agencies consulted during preparation of this Environmental Checklist:

City of Fort Benton was consulted and provided with a draft copy of this environmental assessment prior to it being released for public comment.

13. Name of Preparer(s) of this Environmental Checklist:

Doug Monger, Administrator, State Parks Division, FWP

14. Date submitted: September 28, 2005

PART II. ENVIRONMENTAL CHECKLIST

PHYSICAL ENVIRONMENT. At the bottom of this “Land Resources” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on land resources. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects of the action as well as the long-term effects. Attach additional pages of narrative if needed.

1. LAND RESOURCES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other						

Narrative Description and Evaluation:

The proposed action considered by this environmental assessment will create no physical change on the subject property other than the owner listed on the title and in county records. The River and Plains Society is assumed to continue to operate the site as they have in the past with the only change being a new underlying landowner, the City instead of FWP.

PHYSICAL ENVIRONMENT. At the bottom of this “Air” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on air resources. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects of the action as well as the long-term effects. Attach additional pages of narrative if needed.

2. AIR Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. Any discharge that will conflict with federal or state air quality regs?		X				
f. Other		X				

Narrative Description and Evaluation:

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PHYSICAL ENVIRONMENT. At the bottom of this “Water” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on water resources. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

3. WATER Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. Effects to a designated floodplain?		X				
m. Any discharge that will affect federal or state water quality regulations?		X				
n. Other:						

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PHYSICAL ENVIRONMENT. At the bottom of this “Vegetation” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on vegetative resources. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

4. VEGETATION Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
f. Effects to wetlands or prime and unique farmland?		X				
g. Other:		X				

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PHYSICAL ENVIRONMENT. At the bottom of this “Fish/Wildlife” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on fish and wildlife resources. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

5. FISH/WILDLIFE Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. Adverse effects to threatened/endangered species or their habitat?		X				
i. Introduction or exportation of any species not presently or historically occurring in the receiving location?		X				
j. Other:						

Narrative Description and Evaluation:

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HUMAN ENVIRONMENT. At the bottom of this “Noise/Electrical Effects” checklist, provide a narrative description and evaluation of the cumulative and secondary effects of noise and electrical activities. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

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HUMAN ENVIRONMENT. At the bottom of this “Land Use” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on land use. Even if you checked “none” in this table, explain how you came to that conclusion. Attach additional pages of narrative if needed. Consider the immediate, short-term effects as well as the long-term effects.

7. LAND USE Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. A conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. A conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on, or relocation of, residences?		X				
e. Compliance with existing land policies for land use, transportation, and open space?		X				
f. Increased traffic hazards, traffic volume, or speed limits or effects on existing transportation facilities or patterns of movement of people and goods?		X				
g. Other:						

Narrative Description and Evaluation:

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HUMAN ENVIRONMENT. At the bottom of this “Risk/Health Hazards” checklist, provide a narrative description and evaluation of the cumulative and secondary effects of risks and health hazards. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects of the action as well as the long-term effects. Attach additional pages of narrative if needed.

8. RISK/HEALTH HAZARDS	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Effects on existing emergency response or emergency evacuation plan or create need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. Disturbance to any sites with known or potential deposits of hazardous materials?		X				
e. The use of any chemical toxicants?		X				
f. Other:						

Narrative Description and Evaluation:

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HUMAN ENVIRONMENT. At the bottom of this “Community Impact” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on the community. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

Narrative Description and Evaluation:

The proposed action considered by this environmental assessment will create no physical change on the subject property other than the owner listed on the title and in county records. The River and Plains Society is assumed to continue to operate the site as they have in the past with the only change being a new underlying landowner, the City instead of FWP.

HUMAN ENVIRONMENT. At the bottom of this “Public Services/Taxes/Utilities” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on public services, taxes and utilities. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. An effect upon, or result in a need for new or altered, governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If so, specify:		X				
b. Effects on the local or state tax base and revenues?			X			
c. A need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Increased used of any energy source?						
e. Other.						
Additional information requested:						
f. Define projected revenue sources.	NA					
g. Define projected maintenance costs.	NA					

Narrative Description and Evaluation:

The proposed action considered by this environmental assessment will create no physical change on the subject property other than the owner listed on the title and in county records. The River and Plains Society is assumed to continue to operate the site as they have in the past with the only change being a new underlying landowner, the City instead of FWP. Because state park properties do not pay property taxes, there will be no change in taxable value of the property to the City or County. It is assumed that the City will continue to require the River and Plains Society to reimburse for SID assessments.

HUMAN ENVIRONMENT. At the bottom of this “Aesthetics/Recreation” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on aesthetics & recreation. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				
d. Adverse effects to any designated or proposed wild or scenic rivers, trails or wilderness areas?		X				
e. Other:						

Narrative Description and Evaluation:

The proposed action considered by this environmental assessment will create no physical change on the subject property other than the owner listed on the title and in county records. The River and Plains Society is assumed to continue to operate the site as they have in the past with the only change being a new underlying landowner, the City instead of FWP.

HUMAN ENVIRONMENT. At the bottom of this “Cultural/historical Resources” checklist, provide a narrative description and evaluation of the cumulative and secondary effects on cultural/historical resources. Even if you checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical changes that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. Adverse effects to historic or cultural resources?		X				
e. Other:						

Narrative Description and Evaluation:

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HUMAN ENVIRONMENT. At the bottom of this “Summary Evaluation of Significance” checklist, provide a narrative description and evaluation of the cumulative and secondary effects. Even if you have checked “none” in this table, explain how you came to that conclusion. Consider the immediate, short-term effects as well as the long-term effects. Attach additional pages of narrative if needed.

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. Have organized opposition or generate substantial public controversy?		X				
Additional information requested:						
g. List any federal or state permits required.	NA					

Narrative Description and Evaluation:

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PART III. ENVIRONMENTAL CHECKLIST CONCLUSION SECTION

1. Discuss the cumulative and secondary effects of this project as a whole.

Because the proposed action is administrative in nature, there should be no impacts of the proposed action, cumulative or secondary.

2. Based on the significance criteria evaluated in this Environmental Checklist (Part II), is an EIS required?

YES _____

NO x

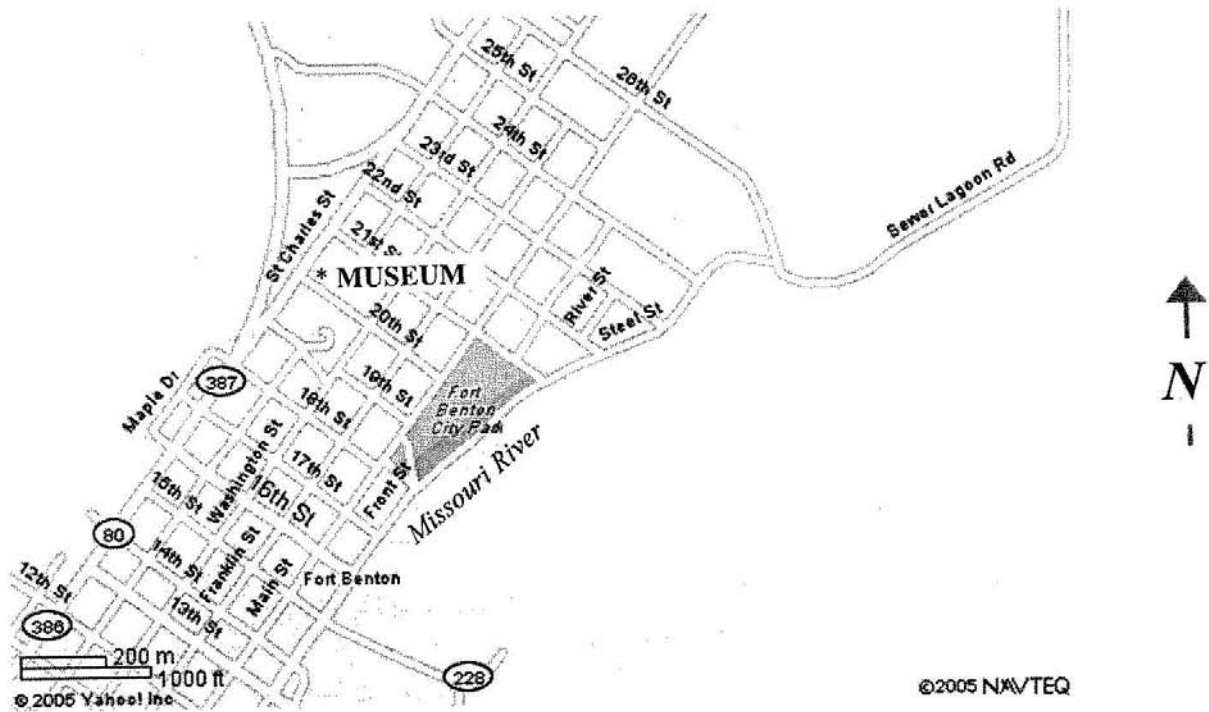
If an EIS is not required, explain why the current checklist level of review is appropriate.

3. Describe the public involvement for this project.

Notification of this environmental assessment was distributed to the standard FWP mailing list and local elected officials noticing recipients of the availability of the full EA. The complete EA was distributed to the City of Fort Benton and the River and Plains Society. Newspaper legal notices were published in the Helena Independent Record and the Fort Benton River Press. Notices were posted on the FWP-internet site.

4. What was the duration of the public comment period?

October 1, 2005 - October 31, 2005.



City of Fort Benton

Agriculture Museum
1205 20th Street

